



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME.

THE NOTARY FOUNDATION OF BRITISH COLUMBIA



2016 ANNUAL REPORT

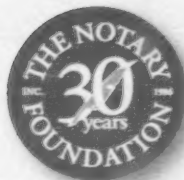
July 1, 2015, to June 30, 2016



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

Mandate

The Notary Foundation helps
the people of British Columbia
by providing funding for legal aid,
legal research, and public legal education,
while supporting the professional development
of BC Notaries and Notarial candidates.



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

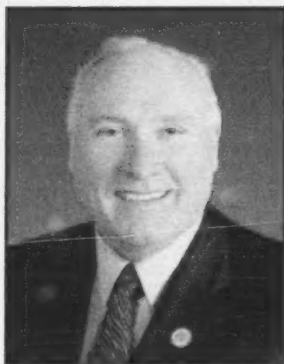
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BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

Message from the Executive Officer Wayne Braid



I am very pleased to report that The Notary Foundation of BC had another very successful year.

It has been a pleasure working with Akash Sablok and our Board of Governors. As Chair of our organization, Akash takes a lot of time away from his busy Notary practice and his young family. We are grateful for his efforts.

The low interest rate continues to limit the number and size of grants we provide to the legal community. I am, however, proud of the fact that this year we gave \$857,772 to the Legal Services Society of BC for their work in providing legal aid in our province. It is because of our funds that many groups and individuals in British Columbia receive assistance with their legal needs.

As well, I am proud that The Notary Foundation can assist many small and mid-size organizations with certain projects that have a legal focus.

You can see the results of those grants in the "Spotlight on Good Works" articles in this report.

Our Notary Foundation was formed by an Act of the Legislature in 1986 so this year, we are celebrating our 30th year as a Funder! All our grants are provided to worthy organizations after they submit a Grant Application for their particular project.

Our Governors examine and analyze each application, then must decide which ones we can fund and which ones we cannot fund.

The Notary Foundation is a "project-funder." We do not provide any "core" funding or operational funds for charitable groups or for groups that have a legal focus. By funding projects, we believe we can assist organizations that want to be creative in finding new ways to serve the legal needs of our citizens.

Funds are generated through the Trust Accounts of BC Notaries. To the Notaries, I say thank you for your time and for your efforts in placing funds in the Financial Institutions that support our Foundation with preferred interest rates.

I am certain that The Notary Foundation will be around for another 30 years providing assistance to many groups in British Columbia.

Respectfully submitted,
G. W. Wayne Braid



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME



Akash Sablok



John Eastwood



David Watts



Rhoda Witherly



Tammy Morin Nakashima

The Board of Governors

The Board of Governors of The Notary Foundation of BC is comprised of

- 8 members of the Board of Directors of The Society of Notaries Public of BC;
- 1 representative from the Attorney General's Office in Victoria*;
- 2 Directors-at-Large, appointed by the Attorney General**; and
- the Executive Officer.

The members from The Society are elected by the Directors of The Society from among their ranks, for a 3-year period.

The Notary Foundation Governors

Akash Sablok, Chair

John Eastwood

David Watts

Rhoda Witherly

Tammy Morin Nakashima

Patricia Wright

Lorne Mann

*** Lisa Nakamura**

Filip de Sagher

**** Deborah Nelson**

**** Jas Rehal**



Wayne Braid

G. W. Wayne Braid, Executive Officer of The Notary Foundation, is responsible for the administration of the office and staff and the diverse investment funds of The Foundation.

The Board of Governors meets quarterly to consider applications for funding from various organizations and to set policy, review The Foundation's financial status, and provide direction for the administration of The Foundation.

The Governors of The Foundation have the responsibility of guiding The Foundation in its mandate to disperse the funds generated by interest on BC Notaries' Trust Accounts.



Patricia Wright



Lorne Mann



Filip de Sagher



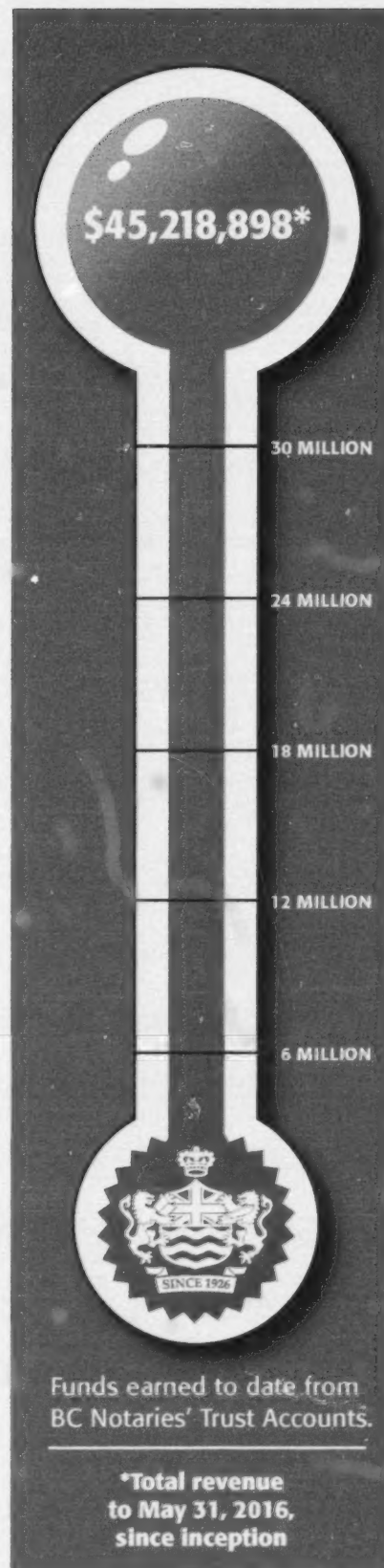
***Lisa Nakamura**



****Deborah Nelson**



****Jas Rehal**



The Notary Foundation funds are used for the following purposes.

1. Legal education
2. Legal research
3. Legal aid
4. Education and Continuing Education for BC Notaries and applicants who have enrolled to become BC Notaries
5. Establishment, operation, and maintenance of law libraries in BC
6. Contributions to the Special Fund established under the *Notaries Act* of BC



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

Message from The Chair Akash Sablok



In each of their 3-year terms, the members of the Board of Governors of The Notary Foundation of British Columbia are tasked with choosing programs to fund. We are fortunate to receive applications for some amazing programs that fit our mandate—to spread the funds in a manner that will provide legal information and education to as many people as possible around our province.

The process of choosing which programs to support is challenging. I would like to personally thank the Governors for their dedication and their thoughtful participation throughout the year. They spend many hours before, during, and after Board meetings, managing the work of The Foundation.

Our Foundation has seen an ebb and flow of funds with the wildly fluctuating real estate market in all parts of BC. We rely on interest earned on funds held in BC Notaries' trust accounts as our main source of revenue.

Our ongoing objective is to apportion outgoing funds and maintain reserves, to ensure that current and future program-funding goals are met.

Respectfully submitted,
Akash Sablok



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

Grants

Recipient	Grant	Project
British Columbia Law Institute	\$15,000	Strata Property Law: Phase Two
TRAC Tenant Resource & Advisory Centre	\$20,000	TRAC Volunteer Program
Nzen'man' Child & Family Development Centre	\$8,500	Rights of Indigenous Children Legal Research & Education
BC Centre for Elder Advocacy & Support	\$3,120	Redesign of BCCEAS Website
Disability Alliance BC	\$10,200	Disclosing Your Disability
Pacific Legal Education & Outreach Society	\$20,000	Law for Non-Profits: <i>Societies Act</i> Transition
Social Health & Economic Development (SHED)	\$25,603	Mid-Coast Employment Law
The People's Law School	\$36,000	Plain Language Legal Resources
Legal Services Society	\$857,772	Supporting Community Workers around the Province

INVESTMENT PORTFOLIO REVIEW	
Portfolio Activity	
July 1, 2015, to June 30, 2016	
Beginning Portfolio Value	\$2,440,004
Additions, Withdrawals, Expenses	(\$3,570)
Gains & Losses	\$16,794
Interest, Dividends, Fees	\$71,963
Net Gains & Losses	\$85,187
Ending Market Value	\$2,525,191

Penny Goldsmith

SPOTLIGHT ON GOOD WORKS

PovNet and The Digital Revolution: Building an Online Community

© Stockphoto.com/Evasla

From *The Scrivener Magazine*, Volume 24 Number 2, Summer 2015

PovNet is an online resource for antipoverty and community workers and anyone looking for information about issues affecting marginalized communities . . . locally, nationally, or internationally.

How PovNet Got Started

PovNet is not one person's idea. It is the creation of the organizations and individuals using it. It does not serve as a direct protagonist in the world of systemic advocacy or activism. We provide some of the tools for antipoverty activists and advocates to do that work.

PovNet started with a meeting in Vancouver in 1997 where advocates and community workers from around the province were invited to attend. They talked about poverty issues. They struggled with new technological language. They wrote lists on flipcharts. They had to figure out how to use this new Internet. They hadn't yet heard of the digital divide but they intuitively knew what it was. They didn't talk tech-talk. There wasn't a computer in sight.

For the first couple of years at PovNet, the coordinator travelled around British Columbia showing people how to turn on computers.



Illustration by Kara Sievwright

After that meeting, the groundwork started with grants from the Legal Services Society, the Law Foundation, and the Vancouver Foundation. For the first couple of years at PovNet, the coordinator travelled around British Columbia showing people how to turn on computers.

PovNet's role was to facilitate the network so advocates from across the province—some had been working in the field for years—would have access to the technology that would put them in daily contact with each other.

The "federated anti-poverty groups of BC" (fapg) were founding members of PovNet. Some were on welfare themselves and they had a great deal of expertise in dealing with bureaucracies.



Photo Credit: Desiree Villacrusis

Penny and a Sam Bradd graphic that served as the minutes for a PovNetU facilitators' meeting. Sam calls it "Drawing for Change." <http://www.sambradd.com/>



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

Part of PovNet's job has always been to make sure no one is left out because of technology...

They met every year at Naramata at a United Church retreat near Penticton for their annual general meeting, training, and networking. It was their only in-person communication and the only time they talked to each other. Long-distance phone calls were too expensive, as were faxes.

Initially, they were hostile to the idea of PovNet: How could people on welfare afford computers? But because they were directly involved and had a voice from the beginning—their president was a founding member on PovNet's steering committee, they began to see there were public access sites in libraries and other ways to find computers. PovNet could also be a resource for advocates not part of the more established (and funded) advocacy network.

The Internet is Not a Solution

Part of PovNet's job has always been to make sure no one is left out because of technology. We check in with people before they get to the point of feeling like idiots because they don't know how to use the computer or the software. PovNet's only two rules are

- there are no stupid questions, and
- it is always the computer's fault.

Over its 18 years in operation, PovNet has learned that digital delivery of services—be it facilitating online courses, networking via email lists, or perusing websites—works only when there are warm bodies attached to the online options. Advocates and PovNetU learners and facilitators meet at in-person training conferences. PovNet staff talk to community groups and are invited to attend organizations' staff meetings. PovNet provides a human face to the technological tools that we offer the antipoverty community.

Accessibility is also a key issue when providing online tools. There is no use in offering a high-end webinar with video segments embedded when someone in a northern rural community in BC doesn't have the broadband capacity to see it.

Low-tech options are a crucial part of digital delivery.

The digital divide continues to be an important component of talking about poverty and access to technology. The digital divide is not going away. PovNet is one of the social-justice organizations in Canada that fights for continued affordable access to the Internet so marginalized communities are not left behind in the new world of online services and public legal education.

Where PovNet is Going Next

PovNet is constantly exploring and evaluating new accessible technologies to make the online experience more user-friendly for advocates and the general public. Thanks to grants from The Notary Foundation of British Columbia, the most recent addition to PovNet is a *wiki* for advocates. Called **advocapedia**, it will allow them to share resources on poverty law topics.

PovNet is expanding and changing to meet the needs of learners from various communities of interest. The Notary Foundation is also supporting a new project to restructure **PovNetU**, PovNet's online training resource for advocates, to make it more accessible to different user groups.

The online antipoverty community dictates where PovNet is going next. PovNet is the pencil; its users are the ones who keep it sharp. ▲

Penny Goldsmith has worked in the antipoverty community for over 35 years as an advocate and a writer and editor of public legal education materials in plain language. For the past 18 years, she has served as Executive Coordinator of PovNet. While Nicky Dunlop, PovNetU's Training Coordinator and a long-time PovNetter, assumed Penny's position in June, Penny will maintain her strong commitment to the network that builds accessible and affordable online communities. She is also the owner of Lazara Press, a small publishing house where she publishes and distributes progressive books and posters.

co-ordinator@povnet.org
<http://povnet.org>



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

MEET THE BOARD OF GOVERNORS Deborah Nelson



From The Scrivener Magazine, Volume 24 Number 3, Fall 2015

Deborah Nelson was recently appointed by the BC Attorney General to the Board of The Notary Foundation.

Originally from the snows of Saskatoon, she is the Director, Special Projects, with the British Columbia Real Estate Association (BCREA), a position that for over 5 years has involved her in a number of provincial real estate strategies. She directed the provincial introduction of Designated Agency for REALTORS® in 2013 and lead the development of the business plan that accompanied an ambitious "Transformative Education" initiative for BCREA's professional development program.

Deb is on the Board of Directors of BC Assessment and was founding Chair of the Take a Hike Foundation—a youth-at-risk program that is a special passion for her. She loves full-contact gardening and has turned a property on Gabriola Island into an acre of flowers and vegetables.

Deb first became involved with BC Notaries after

completing her MBA at UBC and began working at the Real Estate Division in the Sauder School. Since then, she has maintained her links with the BC Notary Society through the common connection of real estate industry interests. In an earlier incarnation as a Block Bros. Realty salesperson, she worked with the company's Tsawwassen sales manager—our own John Eastwood, whom she still counts as a close friend and colleague.

Deb is excited to be associated with The Notary Society and delighted to be in a position to help with the good works undertaken by The Notary Foundation for the people of British Columbia. ▲

Deb is excited to be associated with
The Notary Society and delighted to be
in a position to help with the good works
undertaken by The Notary Foundation...



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

Kevin Zakreski



SPOTLIGHT ON GOOD WORKS

BCLI Strata Property Law Project: New Legislation and Upcoming Public Consultation

©Stockphoto.com/Shaleea

From *The Scrivener Magazine*, Volume 24 Number 4, Winter 2015

Since 2013, the British Columbia Law Institute has been at work on a major project to reform aspects of the *Strata Property Act*.

The project is on the cusp of two milestones.

- The recommendations in the project's first report have just been implemented by legislation passed by the Legislative Assembly of British Columbia.
- In 2016, the project will launch its second consultation with the public.

About the Project

The Strata Property Law Project – Phase Two brings together leading experts on strata property law and practice to consider reforms that will be needed to form the next generation of strata property legislation.

This law-reform project sprang from Phase One of the Strata Property Law Project, which was made possible by funding from The Notary Foundation of British Columbia. In Phase One, BCLI was able to consult broadly with leading individuals and organizations in the strata property field. They

identified seven areas of strata property law facing long-term challenges that could best be addressed by the kind of analysis and consultation that is typical of a BCLI law reform project.

Phase Two takes on the work of identifying legal issues for consideration within the seven areas, considering the leading options for addressing them and recommending the best policy positions for British Columbia.

In carrying out the work, BCLI is assisted by a 13-member

volunteer project committee, made up of leaders in strata property law and practice.

The project has issued two publications to date.

- First is its "Consultation Paper on Terminating a Strata" (2014) that asked for public comment on 21 tentative recommendations for reform of Part 16 of the *Strata Property Act* that governs cancellation of a strata plan and the winding up of a strata corporation.
- Second is the "Report on Terminating a Strata" (2015) that contains the committee's final recommendations for reform, made after taking into account 130 comments on its consultation paper.

BCLI and the committee are grateful to be supported in carrying out this project by funding from nine organizations—including a generous project grant from The Notary Foundation.

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Bill 40 and Reforms on Terminating a Strata

The project's work has borne fruit this past Fall. In October 2015, the BC Government introduced the *Natural Gas Development Statutes Amendment Act, 2015*, otherwise known as Bill 40. Among other legislative changes, Bill 40 amends the *Strata Property Act* and implements the recommendations made in the "Report on Terminating a Strata."

To understand what Bill 40 does, it's necessary first to back up and look at why a strata would want to terminate itself and how the current Act makes that decision more difficult than it need be.

Termination is effectively the end of life for a strata. A strata property usually reaches that point when the costs of maintaining strata buildings outweigh either the benefits to strata lot owners from carrying out necessary maintenance and renewal or the capacity of owners to pay for maintenance and renewal.

Termination is effectively the end of life for a strata. A strata property usually reaches that point when the costs of maintaining strata buildings outweigh either the benefits to strata lot owners from carrying out necessary maintenance and renewal or the capacity of owners to pay for maintenance and renewal.

It has not yet been much of an issue in British Columbia because the province has had strata property legislation for only a shade less than 50 years. As time goes by and building components

age, it's likely that increasing numbers of stratas will have to confront the decision to terminate.

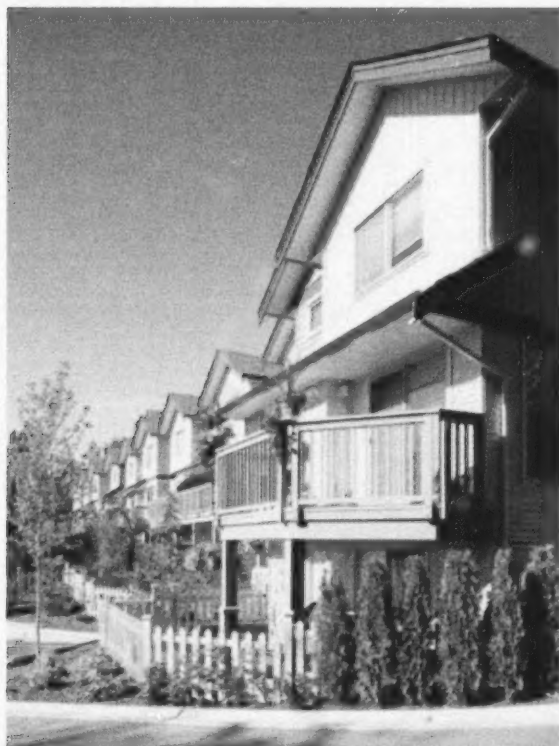
When a strata does want to make a voluntary decision to terminate, the *Strata Property Act* currently says that decision must be evidenced in a resolution passed by a unanimous vote. A "unanimous vote" is one that commands the support of all eligible voters in the strata. That is a very high hurdle for a strata to clear.

The current Act does have some flexibility on the unanimity requirement.

- If the strata has just 10 strata lots and nine eligible voters supported the resolution or the strata has more than 10 strata lots and 95 percent or more of the strata's eligible voters supported the resolution, then the strata corporation can ask the Court for an order that the resolution be approved in spite of the vote or votes against it. That is still a daunting prospect for most stratas.

Bill 40 will lower the threshold to authorize termination to 80 percent of the strata's eligible voters. That change will implement the main recommendation from BCLI's report.

In the BCLI committee's view, an 80-percent threshold struck the right balance between requiring broad-based, supermajority support for termination and ensuring that the decision to terminate remains within practical reach of stratas.



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It is consistent with the voting threshold used in the majority of other Canadian jurisdictions. The proposal was widely supported in the public consultation BCLI held in connection with the project.

Moving to a lower 80-percent threshold creates a problem that the current Act does not have to face.

How does the law ensure that dissenting owners aren't unfairly prejudiced by the decision of the majority?

The BCLI report recommended requiring strata corporations to apply to Court for confirmation of the decision to terminate, after passing the resolution supported by an 80-percent vote. The committee decided that the strata corporation was better placed financially to bring the application than a dissenting owner (or small group of dissenting owners).

In addition, the strata corporation is likely to be better able to ensure that the application proceeds expeditiously through the Court.

Bill 40 adopts that recommendation. It requires a strata corporation to apply to the Supreme Court for an order confirming the decision to terminate. Very small strata corporations, consisting of fewer than five strata lots, are given the option to proceed without a Court application.

Notice of the application must be given to all strata-lot owners and registered chargeholders. The Court must grant the order, unless a dissenting owner or registered chargeholder convinces the Court that to do so

- would not be in the best interests of the owners;
- would be significantly unfair to an owner or a registered chargeholder; or
- would result in significant confusion and uncertainty in the affairs of the strata corporation or of the owners.

The amendments will be brought into force by regulation, likely sometime in 2016 or 2017. Termination is a process that should proceed only after receiving legal advice.

Public Consultation

on Complex Stratas Coming in 2016

Since completing its work on terminating a strata, the committee has been engaged in considering

three discrete features of the *Strata Property Act*—sections, types, and phases. It has grouped the features together under the umbrella term "complex stratas."

- **Sections** are essentially mini-strata corporations that are commonly employed in mixed-use stratas. Those stratas may have a commercial section and a residential section, to represent the differing interests of residential and nonresidential strata lot owners.
- **Types** bylaws allow a strata corporation to allocate operating expenses to specified kinds of strata lots. For example, a strata property consisting of townhouses and an apartment building may use a types bylaw to ensure the owners of strata lots in the apartment building are responsible for the upkeep of that building's elevator.
- **Phasing** involves developing a strata property in segments, over an extended period of time. It is a complex, highly regulated process that often results in large-scale, sophisticated strata developments.

Although very different legal devices, they each raise issues concerning cost sharing, control of common property, and strata governance.

The committee is planning in early 2016 to publish a thorough review of sections, type, and phases that will map out their place in a next-generation *Strata Property Act*. The consultation paper will give the public an opportunity to comment on the committee's proposals to refine each of the three features of the Act. ▲

Kevin Zakreski graduated from UBC Law School and was called to the Bar of British Columbia in 2001. He articulated and practised with a law firm in downtown Vancouver in the area of corporate-commercial law and joined the BC Law Institute in 2003 as a staff lawyer. Kevin has worked on a number of law-reform projects for BCLI and its division the Canadian Centre for Elder Law, relating to subjects such as contracts, evidence, corporations, real estate, and financial issues involving older adults. Currently, he is the project manager for the BCLI's Strata Property Law Project.



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SPOTLIGHT ON GOOD WORKS

Patricia Byrne: New Leader of The People's Law School

From *The Scrivener Magazine*, Volume 25 Number 1, Spring 2016



www.williamphotography.com

To use a Maritime expression, I "come from away."

I was born in Ontario and brought up in Halifax; my law school/work was done in Toronto. Although I have lived in Vancouver since the '80s—longer than anywhere else, I still think of myself—temperamentally—as Nova Scotian. I value independence, straightforwardness, and pragmatism but it doesn't mean I like the Eastern Canadian Winters!

I was lucky growing up, with parents and teachers who introduced me to classical music, European travel, and history and the arts. I'm still interested in those things.

As an undergraduate at Dalhousie University, I thought I would become a professor of English Literature. But then that pragmatic part of my personality said, "Do something practical—go to law school." So after graduation, on a whim and with no preparation, I wrote the LSAT and applied to University of Toronto Faculty of Law. I got in and graduated 3 years later. My career in the law began.

It's been an interesting career so far (it's still a work in progress)—9 years practising business law in Vancouver, followed by 10 years in professional legal education in Toronto and Vancouver.

As an educator, I taught law school graduates/Bar admission candidates and then designed and delivered continuing professional development programs for lawyers. In my "spare time," I got an MBA from Simon Fraser University.

Since 2007, I've worked in the public legal education field—more law and education, but this time for the public. In my 7 years with the Justice Education Society of BC (JES), I oversaw the development and delivery of educational programs and services

In November 2015, the Board of the People's Law School (PLS) invited me to take on the role of Executive Director.

to a variety of clients that included aboriginal peoples, elementary and high school students, separating parents, and immigrants.

In 2014 after leaving JES, I was commissioned by the Law Foundation of British Columbia and the Legal

Services Society to write two reports examining the legal information needs of the public in British Columbia and the resources developed to meet them.

I'm happy to see that my work is being used to guide the Law Foundation and their funded public legal education and information (PLEI) sector organizations in determining their resource development priorities.

In November 2015, the Board of the People's Law School (PLS) invited me to take on the role of Executive Director. Having served not-for-profit, law-related educational organizations throughout my career, I had a keen appreciation for the People's Law School mission of service to the public. That resonated with me.

And I was challenged by the ambitious goal set by the Board: To take PLS from its current role as a provider of primarily print-based legal information for the public, to an organization dedicated to producing high-quality public legal information in multiple formats (digital, print) and through multiple channels.

The People's Law School is the first organization in Canada dedicated exclusively to providing public legal education. The School began in 1972 as a federally funded Opportunities for Youth project, with UBC law students, volunteer lawyers, and law professors providing free law classes for the public.

Since then, the School has built recognition and the use of its publications and resources throughout every corner of British Columbia, in communities large and small (85 in British Columbia in 2015).



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

Organizations that Rely on Our Resources Represent Numerous Sectors.

- **Health Care** (hospitals, clinics, hospices, palliative care facilities)
- **Legal** (legal aid, community legal information clinics, lawyers, BC Notaries)
- **Political** (MLA constituency offices)
- **Educational** (universities, community colleges, schools, school Boards)
- **Religious** (church administration offices, youth clubs)
- **Financial Services** (financial planners, banks; accountants)
- **Community** (neighbourhood houses, community centres, libraries)
- **Law Enforcement** (police and RCMP victim services)
- **Funeral Services**
- **Organized Labour** (unions)
- **Government** (Service BC)
- The **Indigenous Community** also relies on our resources (native friendship centres).

The Core Activities of PLS

- **Easy-to-read, practical information aimed at the public:** We provide plain language information online and in print about the legal problems of daily life, such as making a Will, consumer law issues, and legal issues in the workplace.
- **Legal education programs:** Collaborating with other public legal education organizations and community partners around the province, we organize classes for the public on legal topics they both request and need.
- **Information and referrals:** Through our *PLSask* service (phone, email, and walk-in), our staff connects people with legal information and assistance.
- **Justice Theatre:** Our Justice Theatre program stages interactive dramatic performances and public forums in classrooms and community settings around the province and occasionally in other provinces and territories. They cover legal issues relevant to students (bullying, consequences of a youth record) and those with unique legal needs, for example, the indigenous community.

We do this with a miniscule staff: 2 full-time and 3 part-time staff members plus 1 Justice Theatre contractor. We rely heavily on volunteers—BC Notaries and lawyers—to deliver our classes to the public and to offer their expertise in developing our resources.

Our Board members offer countless hours in guiding, influencing, and monitoring the School's business. It's a strong Board, with good representation from BC Notaries, lawyers, accountants, and paralegals—even a judge!

With such a small organization, I wear many hats. Generally speaking, as Executive Director my attention is directed both internally (managing day-to-day operations) and externally (building and enhancing relationships with PLEI sector stakeholders, funders, volunteers, government, the public).

I suspect I'm more "hands on" than EDs of larger PLEI organizations. Just the other day, I was learning the intricacies of changing rotating content on a website.

For many years, The Notary Foundation has been a valued friend and supporter of the People's Law School. Most of our publications have been developed and distributed with the financial support of The Foundation.

BC Notaries represent a large proportion of our volunteer speakers, providing the public with classes on practical everyday legal issues such as writing your Will or being an executor.

Notaries sit on our Board of Directors. Our current Vice Chair Hassan El Masri is a BC Notary. So is our Secretary Joan Letendre. Their insight and wise counsel are indispensable. We view The Foundation and its members as our partners in making the law more understandable to British Columbians.

The School's vision statement provides our direction: We see a British Columbia "where people have the knowledge, skills, and attitudes to resolve everyday legal matters." All our activities—now and for the future—are organized around providing the tools for the public to achieve that vision.

The major challenges to our organization are the usual ones for nonprofits—funding to carry out the work and the time to do it well.

What's most important to me?

Integrity . . . a very Nova Scotian answer. ▲

pbyrne@publiclegaled.bc.ca

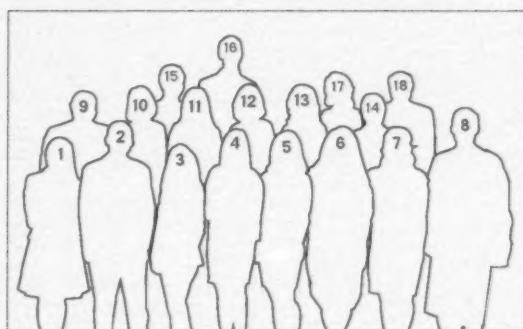


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The BC Notary Class of 2016



www.wildmanphotography.com



1. Cheryl Hoi Yan Kwok
2. Sushant Raj
3. Huong Thi Thu (Sindy) Ngo
4. Karen Deep Bungar
5. Kelsey Genelle Krische
6. Roxana Roohani
7. Desirae Morgan Jeannotte
8. Brian Poston, Legal Counsel for The Society
9. Wayne Braid, CEO of The Society of Notaries
10. Vicki-Leigh Van As
11. Jung Mi (Jane) Hong
12. Flavia Tolussi Zancopé
13. Rajvir Kaur Sidhu
14. Li Jiao
15. Paul Byungha Choi
16. Mathew Adam Dearin
17. Alena Harelík
18. Ron Usher, The Society's In-House Legal Counsel



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME



*John Eastwood, Minister Suzanne Anton,
and George Cadman*

This year we had 15 students successfully pass the Statutory Examinations and become new Notaries on June 10, 2016. The Installation Ceremony was a highlight of our year and certainly a highlight for the new members. The luncheon that follows the Installation is always a lot of fun and a great day for the students and their families.

We were delighted to have The Honourable Suzanne Anton address our luncheon.

The Minister of Justice and Attorney General of our province noted that the first Notary in BC was appointed by Governor James Douglas in 1868 and that The Society of Notaries Public is currently celebrating its 90th anniversary year.

Minister Anton went on to say that many BC Notaries have been politically involved over the years as Mayors, City Council members, School Board chairs, and MLAs.

For example, Duff Pattulo, Alex Matthew, and Frank Ney were Notaries, MLAs, and Cabinet Ministers.

"The group sworn in this morning as BC Notaries at the Supreme Court ceremony represents the newest graduates of the Master of Arts in Applied Legal Studies program at Simon Fraser University.

Each has passed the Statutory Exams set by the Examiners appointed by my office as Attorney General for the Province of BC.

"The legal services that BC Notaries offer are very well accepted by the public. A recent survey indicates 78 percent of the adult population in BC have used a Notary to do their property conveyance, make a Will, or have a document notarized.

"My Ministry office has partnered with BC Notaries on a number of projects, including the very successful Make-A-Will Week held annually in April. The Notary Foundation of British Columbia has contributed over \$44 million to the Legal Services Society and other legal aid organizations in BC."

Minister Anton closed by saying, "Domestic and international commerce depends greatly on the security that BC Notaries offer in the marketplace. They are important gatekeepers in our province, ensuring that certain documents are authentic and verifying the identity of the person appearing before them."



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

BC Notaries: Celebrating Our 90th Year of Incorporation

There have been Notaries in British Columbia since Colonial times.

On August 12, 1926, The Notaries Public Association of British Columbia held its first annual meeting and on November 2, 1926, The Society of Notaries Public of British Columbia was officially registered in Victoria.

Eades Ward was the first full-time Secretary of the new Society. His handwritten ledger entries show the membership fee from 1926 to 1932 was \$3 per year. In 1933, during The Great Depression, the fee was reduced to \$2. Ward's priority was to build the membership of The Society. His 1927 membership register showed 626 Notaries enrolled. They practised in 118 BC communities—in places long forgotten such as Anyoz, Beaverdell, Jubilee, Nahun, and Renata—but the bulk of the members worked in Vancouver. Ward also focused on educating the members, arranging for sessions on law, often with solicitors as lecturers, and had textbooks printed and distributed. Ward retired in 1939 after 13 years of service.

He was followed by **H. E. Warburton**, President of The Society from 1935 to 1939. He led The Society through the World War II years retiring in 1953.

That same year, **Alexander Matthew**, a Director of The Society, was appointed Secretary by his fellow Directors, becoming a Managing-Director and ruling The Society in true CEO style. This strong-willed Scotsman and successful insurance agent had come to Canada in 1908 and moved to Vancouver in 1910, becoming a Notary in 1917. In 1953 he was elected Social credit MLA for Vancouver Centre, soon serving as Chair of the important Private Bill Committee and becoming Deputy Speaker of the House.

On August 12, 1926, The Notaries Public Association of British Columbia held its first annual meeting and on November 2, 1926, The Society of Notaries Public of British Columbia was officially registered in Victoria.



Society Secretaries Stan Nicol, Bernard Hoeter, and Wayne Braid. Photo taken in 2002.

Under populist Premier W. A. C. Bennett, the political scene in Victoria had changed and Alex Matthew had considerable political clout. Matthew moved the office of The Society downtown "to a more reputable district," he said.

To prevent a clash with the now (politically) strong Notaries, the Law Society, under its Treasurer Elmore Meredith, and Matthew came to an understanding. In 1955, they shook hands



BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

on an unwritten accord later to be known as the "Gentlemen's Agreement" that provided the Law Society would discontinue their automatic protest against all Notarial applications and The Society agreed not to increase its membership.

When Alex Matthew died in 1969, the Directors chose as provisional Secretary **Bernard Hoeter**, PhD, a German-born multilingual academic, former Director, and practising Notary. The Directors appointed him *pro tem* until they could find a proper replacement. Dr. Hoeter remained Secretary until his retirement in 1986. An Honourary Life Member, he continued practising until 1993, returning his Seal to The Society rather than selling it.

Stan Nicol, a former Society President (1983 to 1984) took over from Hoeter. For details, please see *Scrivener* Vol. 9 No. 2, July 2000.

BC Notary **G. W. Wayne Braid** is the current Chief Executive Officer and Secretary of The Society of Notaries Public of BC. His diverse responsibilities include guiding The Society and its member Notaries to fully embrace the wonders of technology. ProSuite—The Society's own legal services software—was created through his vision. Wayne also serves as Executive Officer of The Notary Foundation.

ACHIEVEMENTS

WARD

1926 – 1939

Actively promoted the incorporation of The Society and started the first office of The Society and, together with President Loutet, succeeded in giving early Notaries respectability and basic security.

WARBURTON

1940 – 1952

Started the education program for Notarial Candidates; and arranged for lectures and had textbooks printed and distributed.

MATTHEW

1953 – 1969

Through his political clout and finesse, he reached the "Gentlemen's Agreement" of 1955. The Law Society stopped automatically challenging all Notarial applications.

HOETER

1969 – 1986

His background and negotiating skills made him an acceptable partner to the Law Society and to the BC Government. He steered the *Notaries Amendment Act of 1981* that eliminated the "need" clause and opened the future for The Society. He instilled an exceptional *esprit de corps* into the membership. Members no longer considered themselves real estate or insurance brokers but proud, full-time BC Notaries.

NICOL

1986 – 2000

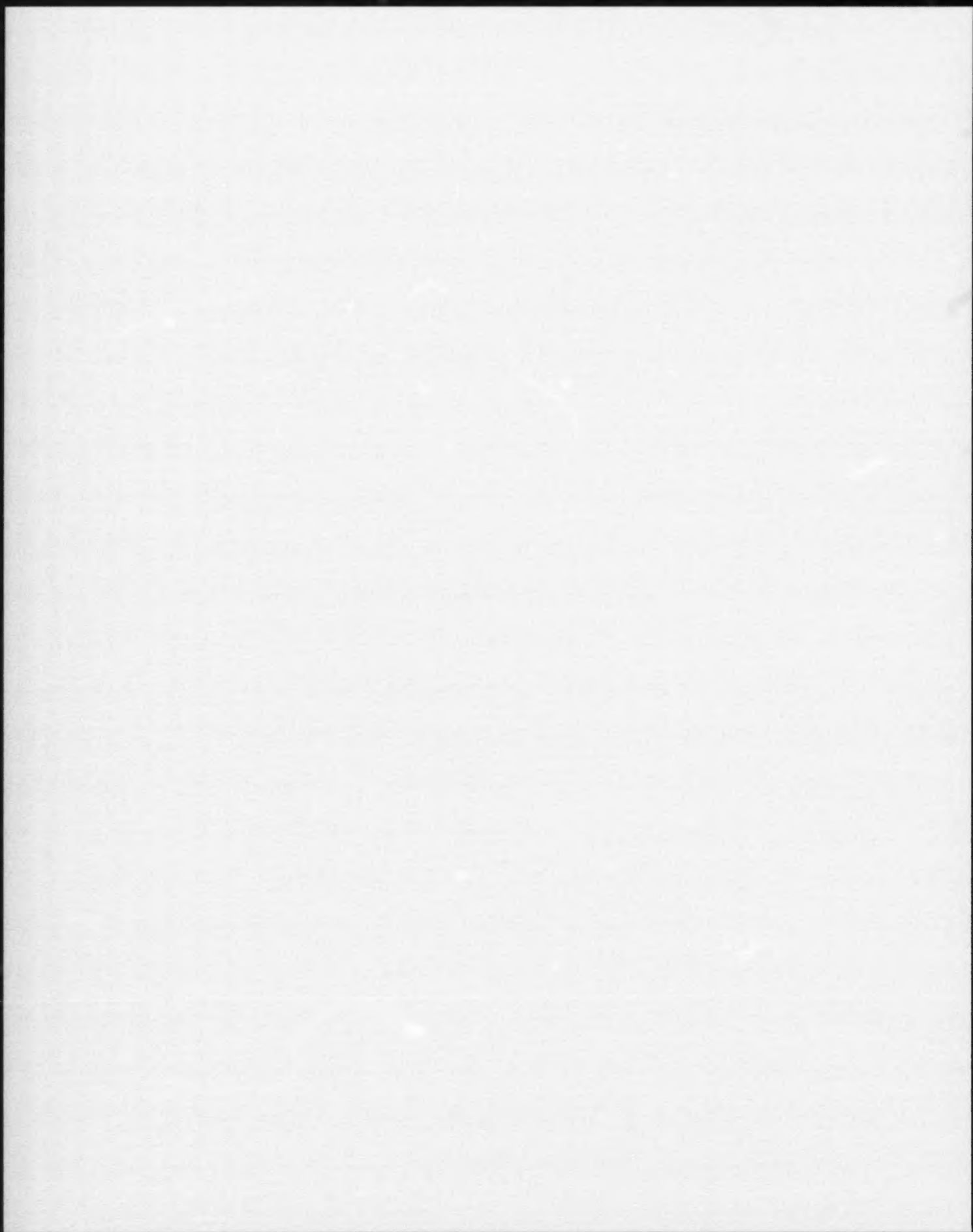
He computerized the administration of The Society, established The Notary Foundation, and materially extended the education program for Candidates and existing Notaries, as well. He worked tirelessly to promote the *Representation Agreement Act*, which came into force on February 28, 2000.

BRAID

2000 – Present

Wayne Braid has literally taken The Society into the 21st century through leading-edge technology and increasing the focus on education, insurance, public and government relations, and many other areas of business for The Society and its members. He is CEO and Secretary of The Society and Executive Officer of The Notary Foundation of BC. Through his leadership and direction, The Foundation has broadened the scope and delivery of services and funding to legal support groups across British Columbia. ▲

Taken from an article written for *The Scrivener*
by Bernard Hoeter for the Fall 2001 issue.



**Notary Foundation of British Columbia
Financial Statements
For the year ended June 30, 2016**

**Notary Foundation of British Columbia
Financial Statements
For the year ended June 30, 2016**

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600 Cathedral Place
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Independent Auditors' Report

To the Members of the Notary Foundation of British Columbia

We have audited the accompanying financial statements of the Notary Foundation of British Columbia which comprise the Statement of Financial Position as at June 30, 2016 and the Statement of Operations and Changes in Net Assets and the Statement of Cash Flows for the year then ended, and summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of the Notary Foundation of British Columbia as at June 30, 2016, and the results of its operations and its cash flows for the years ended are prepared in accordance with Canadian standards for not-for-profit organizations.

BDO Canada LLP

Chartered Professional Accountants

Vancouver, British Columbia
September 2, 2016

BDO Canada LLP, a Canadian limited liability partnership, is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms.

Notary Foundation of British Columbia
Statement of Financial Position

June 30	General Fund	Education and Administrative Fund	Grants Fund	2016	2015
Current Assets					
Cash (Note 2)	\$ 521,577	\$ -	\$ -	\$ 521,577	\$ 462,682
Accounts receivable	191,330	-	-	191,330	135,156
Short term investments (Note 3)	825,252	-	-	825,252	839,697
	1,538,159	-	-	1,538,159	1,437,535
Long term investments (Note 4)	1,691,567	-	-	1,691,567	1,591,448
	\$ 3,229,726	\$ -	\$ -	\$ 3,229,726	\$ 3,028,983
Current Liabilities					
Accounts payable and accrued liabilities (Note 5)	\$ 857,772	\$ 545,855	\$ 9,500	\$ 1,413,127	\$ 1,210,315
Due to (from) other funds	2,371,954	(1,780,316)	(591,638)	-	-
	3,229,726	(1,234,461)	(582,138)	1,413,127	1,210,315
Net assets	-	1,234,461	582,138	1,816,599	1,818,668
	\$ 3,229,726	\$ -	\$ -	\$ 3,229,726	\$ 3,028,983

Approved by The Board of Governors:

_____ Governor

_____ Governor

The accompanying notes form an integral part of these financial statements.

Notary Foundation of British Columbia
Statement of Operations and Changes in Net Assets

For the year ended June 30	General Fund	Education and Administrative Fund	Grants Fund	2016	2015
Revenue (Note 6)					
Interest earned on members' trust accounts	\$ 1,461,426	\$ -	\$ -	\$ 1,461,426	\$ 1,242,696
Investment income	88,555	-	-	88,555	60,501
	1,549,981	-	-	1,549,981	1,303,197
Expenses					
Education and administrative fund grant (Note 7)	-	545,855	-	545,855	469,163
Grants issued	-	-	148,423	148,423	84,175
Legal Services Society of British Columbia	857,772	-	-	857,772	737,256
	857,772	545,855	148,423	1,552,050	1,290,594
Revenue over (under) expenses	692,209	(545,855)	(148,423)	(2,069)	12,603
Net assets, beginning of the year	-	1,243,978	574,690	1,818,668	1,806,065
Transfer (to) from Education and Administrative Fund	(536,338)	536,338	-	-	-
Transfer (to) from Grants Fund	(155,871)	-	155,871	-	-
Net assets, end of year	\$ -	\$ 1,234,461	\$ 582,138	\$ 1,816,599	\$ 1,818,668

The accompanying notes form an integral part of these financial statements.

Notary Foundation of British Columbia
Statement of Cash Flows

<u>For the year ended June 30</u>	<u>2016</u>	<u>2015</u>
Cash provided by (used in)		
Operating activities		
Revenue over (under) expenses	\$ (2,069)	\$ 12,603
Item not involving cash		
Unrealized gains on investments	<u>9,517</u>	<u>37,268</u>
	7,448	49,871
Changes in non-cash working capital balances		
Accounts receivable	(56,174)	(48,026)
Accounts payable and accrued liabilities	<u>202,812</u>	<u>224,270</u>
	154,086	226,115
Investing activity		
Purchase of investments, net	<u>(95,191)</u>	<u>(94,257)</u>
Increase in cash during the year	58,895	131,858
Cash, beginning of year	<u>462,682</u>	<u>330,824</u>
Cash, end of year	<u>\$ 521,577</u>	<u>\$ 462,682</u>

The accompanying notes are an integral part of these financial statements

Notary Foundation of British Columbia
Notes to the Financial Statements

June 30, 2016

1. Significant Accounting Policies

a) Purpose

The Notary Foundation of British Columbia (the "Foundation") was established in 1986 under Section 50 of the Notaries Act. The Foundation is a not-for-profit organization, which receives funding from interest earned on the pooled trust funds of the notaries. The Foundation is a tax exempt body under Section 149 of the Income Tax Act.

The Foundation is to establish and maintain funds to be used for the purpose of:

- legal education, legal research and legal aid,
- salary, administration, education and continuing education for notaries and applicants for enrolment as notaries,
- establishing, operating and maintaining law libraries in the Province of British Columbia

b) Basis of Accounting

The financial statements have been prepared using Canadian accounting standards for not-for-profit organizations ("ASNPO").

c) Fund Accounting

These financial statements have been prepared on the restricted fund method of accounting for not-for-profit organizations.

d) Financial Instruments

Financial Instruments are recorded at fair value when acquired or issued. In subsequent periods, equities traded in an active market as well as bonds are reported at fair value, with any unrealized gains and losses reported in operations. All other financial instruments are reported at cost or amortized cost less impairment, if applicable. Financial assets are tested for impairment when changes in circumstances indicate the asset could be impaired. Transaction costs on the acquisition, sale or issue of financial instruments are expensed for those items remeasured at fair value at each statement of financial position date and capitalized to the financial instrument for those measured at amortized cost.

Notary Foundation of British Columbia
Notes to the Financial Statements

June 30, 2016

1. Significant Accounting Policies - Continued

e) Revenue Recognition

The interest earned on members' trust accounts is calculated net of bank charges and remitted to the Foundation based upon agreements made with individual financial institutions. The trust accounts are not the property of nor are they administered by the Foundation and therefore are not included in the Foundation's Statement of Financial Position. The interest earned on members' trust accounts held in financial institutions is recognized by the Foundation on an accrual basis when collection is reasonably estimated and assured.

Investment income includes gains and losses on sale of investments, interest and dividend income and gains or losses resulting from changes in the fair market value of investments. Interest and dividend income is recognized when earned and is allocated on a predetermined basis amongst the funds.

f) Grants Issued

Grants are recorded in the Foundation's accounts in the year of authorization.

g) Use of Estimates

The preparation of financial statements in accordance with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from management's best estimates as additional information becomes available in the future.

Notary Foundation of British Columbia
Notes to Financial Statements

June 30, 2016

2. Cash

The Foundation's cash is held in various Canadian chartered banks. The accounts earn interest at prevailing market rates.

3. Short-term Investments

Investments are comprised of:

	2016	2015
	<u>Market Value</u>	<u>Market Value</u>
Corporate bonds	\$ -	\$ 77,181
Foreign equities	121,376	121,974
Canadian equities	568,039	567,263
Cash	135,837	73,279
	<u>\$ 825,252</u>	<u>\$ 839,697</u>

The Foundation's investments are held through one Canadian investment management company and converted at year end rates for June 30, 2016.

Equities are classified as short-term investments as they are revolving equities. The foreign equities are translated to Canadian from USD.

4. Long-term Investments

	2016	2015
	<u>Market Value</u>	<u>Market Value</u>
Corporate bonds	\$ 671,811	\$ 575,572
Government bonds	1,019,756	1,015,876
	<u>\$ 1,691,567</u>	<u>\$ 1,591,448</u>

The corporate bonds bear interest from 2.58% to 4.80% (2015 - 2.65% to 4.80%) per annum and mature between May 7, 2019 and March 30, 2027. The government bonds bear interest from 2.55% to 5.70% (2015 - 2.55% to 4.85%) per annum and mature between December 18, 2019 and June 18, 2037.

Notary Foundation of British Columbia
Notes to Financial Statements

June 30, 2016

5. Accounts Payable and Accrued Liabilities

Accounts payable and accrued liabilities pertain to the allocation of revenue from the General Fund less payments and are comprised of the following:

	2016	2015
Legal Services Society of British Columbia		
Balance, beginning of period	\$ 737,256	\$ 596,802
Revenue allocated from General Fund (Note 6)	857,772	737,256
Payments to Legal Services Society of British Columbia	(737,256)	(596,802)
	857,772	737,256
Education, administrative and grant payables	555,355	473,059
Balance, end of the year	<u>\$ 1,413,127</u>	<u>\$ 1,210,315</u>

Included in the current education, administrative and grant payables is \$545,855 (2015 - \$468,059) due to the Society of Notaries Public of British Columbia (Note 7).

6. Allocation of Revenue

Restricted contributions are disbursed based on the donor's written direction. Unrestricted contributions and realized revenue (including investment income) earned by the Foundation must be disbursed as follows:

- a) 55% to be paid to the Legal Services Society of British Columbia.
- b) 10% to be used for legal education, legal research and the establishing, operating and maintaining of law libraries in the Province of British Columbia (the "Grants Fund"). Grant Funds are recognized as payable once approved by the Board of Governors.
- c) 35% to be used for salary, administrative, education and continuing education of notaries and notarial applicants (the "Education and Administrative Fund"). The Foundation provides an annual grant to the Society of Notaries Public of British Columbia (the "Society") to fund Education and Continuing Education initiatives which are carried out by the Society on behalf of the Foundation in order for the Foundation to meet its obligation pursuant to its articles of incorporation under the Notaries Act. The Foundation may maintain a reserve fund composed of up to three years of contributions to the Education and Administrative Fund (the "Foundation Reserve Fund").

Notary Foundation of British Columbia
Notes to Financial Statements

June 30, 2016

7. Related Party Transactions

During the year, the Foundation had accrued grants in the amount of \$545,855 (2015 - \$469,163) to the Society which was used by the Society to fund Education and Continuing Education initiatives as described in Note 6(c) which includes salary, administrative, education and continuing education of notaries and notarial applicants in accordance with the Governance Agreement and the Notaries Act of British Columbia. The transactions are in the normal course of operations and are measured at their carrying amount.

8. Financial Instruments Risks

The Foundation, through its financial assets and liabilities, is exposed to various risks. The Foundation has in place an investment policy for the purpose of reducing these risks through prudent management of the portfolio. The following analysis provides a measurement of those risks at June 30, 2016.

(a) Credit and Market Risk

Credit risk is the risk that The Foundation will incur a loss due to the failure by its debtors to meet their contractual obligations. Financial instruments that potentially subject the Foundation to significant concentrations of credit risk consist primarily of cash, short-term investments, investments and accrued interest receivable. Market risk is the risk that the value of an investment will fluctuate as a result of changes in market prices, whether those changes are caused by factors specific to the individual investment or factors affecting all securities traded in the market. The Foundation limits its exposure to credit risk by placing its cash, short-term investments and long-term investments with high credit quality governments, financial institutions, corporations and Canadian and foreign equities in accordance with investment policies adopted by the Foundation. Risk and volatility of investment returns are mitigated through the diversification of investments in different geographic regions and different investment vehicles.

(b) Foreign Exchange Risk

Foreign exchange risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates. The Foundation has limited exposure to foreign exchange risk as 96.0% of all financial instruments are denominated in Canadian dollars. As at June 30, 2016, investments included \$121,376 of US Stocks (denominated in Canadian dollars) (2015 - \$121,974) and cash of US of \$51,071 (denominated in Canadian dollars) (2015 - \$46,238).

(c) Interest Rate Risk

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The interest rates and terms of cash, short-term investments, and investments are as disclosed in Notes 2, 3, and 4.

Notary Foundation of British Columbia
Notes to Financial Statements

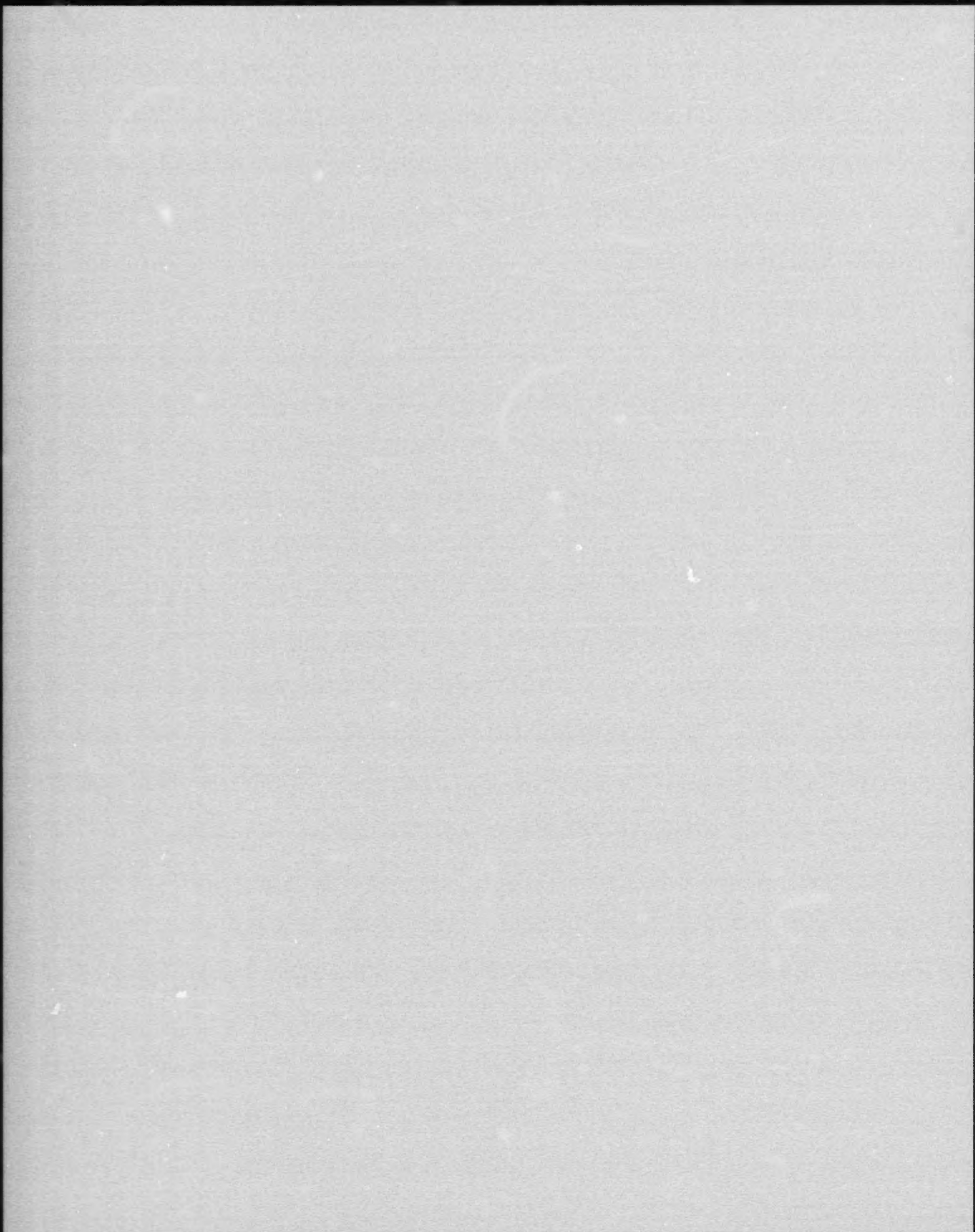
June 30, 2016

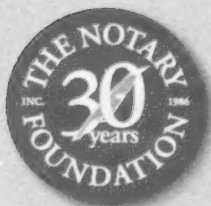
8. Financial Instruments Risks - Continued

(d) Liquidity Risk

Liquidity risk is the risk that The Foundation will not be able to meet its obligations as they fall due. The Foundation maintains adequate levels of working capital to ensure all its obligations can be met when they fall due. Investments are also held in securities that can be liquidated within a few days notice.







BUILDING BETTER COMMUNITIES, ONE GRANT AT A TIME

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